

**GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T**

PROCLAMATION OF PRESIDENT OF INDIA – REPUBLISHED

GENERAL ADMINISTRATION (POLITICAL.C) DEPARTMENT

G.O.MS.NO. 124

**Dated: 02nd May, 2014
Read**

G.O.Ms.No:58, G.A.(Poll-C) Dept., Dt: 01-03-2014.

O R D E R:

In the G.O. read above, the proclamation of President of India under Article 356 (1) of the Constitution of India in relation to the State of Andhra Pradesh has been re-published.

The Proclamation of the President of India in G.S.R.No.298(E) dated:28.04.2014 and the order of the President of India in G.S.R.299(E), dated:28.04.2014 are republished in the extraordinary issue of Andhra Pradesh Gazette, Dated: 02.05.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**DR.P.K.MOHANTY
CHIEF SECRETARY TO GOVERNMENT**

To

The Commissioner of Printing, Stationery & Stores Purchase (Printing Wing) Department, Hyderabad for publication in extraordinary Gazette, dated 02.05.2014. (500 copies)
The Spl.Chief Secretary to Governor, Andhra Pradesh, Raj Bhavan, Hyderabad.
The Secretary to President of India, New Delhi
The Secretary, Government of India, Cabinet Secretariat, New Delhi.
The Secretary, Government of India, Ministry of Home Affairs.
The Secretary, A.P. Legislative Council / Legislative Assembly, Hyderabad
The Registrar General, High Court of Andhra Pradesh, Hyderabad
The Registrar, Andhra Pradesh Administrative Tribunal, Hyderabad
The Registrar, Institution of A.P. Lokayukta & Upa-Lokayukta
The State Election Commissioner, Andhra Pradesh, Hyderabad
The Vigilance Commissioner, Andhra Pradesh, Hyderabad
The Commissioner, Information & Public Relations, A.P., Hyderabad.
The Resident Commissioner, A.P. Bhavan, No.1 Ashoka Road, New Delhi.
The Chief Secretaries to Governments of all States/U.Ts.
All Secretaries to Government of Andhra Pradesh
All Heads of Departments
All Collectors
The Accountant General, AP, Hyderabad.
The Pay & Accounts Officer, Hyderabad

Copy to:

The P.S to Secretary to Govt. (Poll), Genl. Admn. Deptt. A.P. Secretariat,
The P.A to Special Secretary to Govt. (Protocol), A.P. Secretariat,
SF /SC

for Chief Secretary to Government

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 28th April, 2014

G.S.R.298(E)—The following Proclamation by the President is published for general information:-

Whereas, I, Pranab Mukherjee, President of India, on the basis of the report received from the Governor of the State of Andhra Pradesh in accordance with the provisions of the Constitution of India (hereinafter referred to as "the Constitution") made a Proclamation assuming to myself all function of the Government of the said State and all powers vested in or exercisable by the Governor of that State; and declaring the powers of the Legislature of the that State shall be exercisable by or under the authority of Parliament and made certain incidental and consequential provisions for giving effect to the objects of the said the Proclamation, by keeping Legislative Assembly of Andhra Pradesh under suspended animation vide notification number G.S.R. 132(E), dated the 1st March, 2014;

And whereas, the aforesaid Proclamation shall cease to operate on the expiration of two months, i.e., on the 30th day of April, 2014 by virtue of clause (3) of article 356 of the Constitution as the summoning of both the Houses of Parliament for laying the Proclamation for its consideration would be difficult in view of the ongoing General Elections;

And whereas, subsequent to the imposition of President's Rule, the entire State had gone into a poll mode with a series of elections scheduled within a span of two months, i.e., elections to Urban Municipalities and those of Mandal and Zilla Parishad Bodies proceeding the scheduled General Elections; and the elections for both State Legislative Assembly as well as Lok Sabha are scheduled on 30.4.2014 and 7.5.2014 in two phases;

And whereas, the scenario of a series of elections and the pursuit of political space virtually leaves no room for any political party including the single largest party to form a stable and viable Government; and the State of Andhra Pradesh is also going to be re-organised as Telangana and Andhra Pradesh w.e.f. 2.6.2014;

And whereas, various political parties in the State have been approached with a view to ascertain the possibility of formation of a Government, but all of them conveyed that they are not in a position to form a Government at this juncture when electioneering is in full swing;

And whereas, none of the political parties is either in a position of interested to form the Government, and the time available is also not adequate enough to allow the newly formed Government to prove its majority on the Floor of the House;

And whereas, in view of the prevailing political situation in the State which requires re-imposition of President's Rule under article 356(1) of the Constitution as a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution till the new House is constituted;

Now, therefore, in exercise of the powers conferred by article 356 of the Constitution and of all other powers enabling me in that behalf, I, Pranab Mukherjee, President of India, hereby proclaim that I, --

- (a) assume to myself as President of India all functions of the Government of the said State and all powers vested in or exercisable by the Governor of that State;
- (b) declare that the powers of the Legislature of the said State shall be exercisable by or under the authority of Parliament; and
- (c) make the following incidental and consequential provisions which appear to me to be necessary or desirable for giving effect to the objects of this Proclamation, namely:-

- (i) in the exercise of the functions and powers assumed to myself by virtue of clause(a) of this Proclamation as aforesaid, it shall be lawful for me as President of India to act to such extent as I think fit through the Governor of the said State;
- (ii) the operation of the following provisions of the Constitution in relation to that State is hereby suspended, namely:-

so much of the proviso to article 3 as relates to the reference by the President to the Legislature of the State;

so much of clause (2) of article 151 as relates to the laying before the Legislature of the State, of the reports submitted to the Governor by the Comptroller and Auditor General of India;

articles 163 and 164;

so much of clause (3) of article 166 as relates to the allocation among the Ministers of the business of the Government of the State;

article 167;

so much of clause (1) of article 169 as relates to the passing of a resolution by the Legislative Assembly of the State;

clause (1) and sub-clause (a) of clause (2) of article 174;

articles 175 to 178; (both inclusive)

clauses (b) and (c) of article 179 and the first proviso to that article;

article 180, 181 and 182 clause (c) of article 183 and the proviso thereto;
articles 185;

so much of article 186 as relates to the salaries and allowances of the Deputy Speaker of the Legislative Assembly;

so much of article 188 as relates to a Member of the Legislative Assembly;

articles 189, 193 and 194;

so much of article 195 as relates to the salaries and allowances of Members of the Legislative Assembly;

articles 196 to 198 (both inclusive), clauses (3) and (4) of article 199;

so much of clause (3) of article 202 as relates to the salaries and allowances of the Deputy Speaker of the Legislative Assembly;

article 208 to 211 (both inclusive);

the proviso to clause (1) and the proviso to clause (3) of article 213; and

so much of clause (2) of article 323 as relates to the laying of the report with a memorandum before the Legislature of the State;

(iii) the Legislative Assembly of the said State is hereby dissolved;

(iv) any reference in the Constitution to the Governor shall, in relation to the said State, be construed as a reference to the President, and any reference therein to the Legislature of the State Houses thereof shall, in so far as it relates to the functions and powers thereof, be construed, unless the context otherwise requires, as a reference to Parliament, and, in particular, the references in article 213 to the Governor and to the Legislature of the State or the Houses thereof, shall be construed as references to the President and to Parliament or the Houses thereof respectively;

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Provided that nothing herein shall affect the provisions of article 153, articles 155 to 159 (both inclusive), article 299 and article 361 and paragraphs 1 to 4 (both inclusive) of the Second Schedule or prevent the President from acting under sub-clause (i) of this clause to such extent as he thinks fit through the Governor of the said State;

(v) any reference in the Constitution to Acts or laws of, or made by, the Legislature of the said State shall be construed as including a reference to Acts or laws made, in exercise of the powers of the Legislature of the said State, by Parliament by virtue of this Proclamation, or by the President or other authority referred to in sub-clause (a) of clause (1) of Art.357 of the Constitution, and the Andhra Pradesh General Clauses Act, 1891 (Andhra Pradesh Act No.1 of 1891), and so much of the General Clauses Act, 1897 (10 of 1897) as applies to State Laws, shall have effect in relation to any such Act or law as if it were an Act of the Legislature of the said State.

PRANAB MUKHERJEE
President

New Delhi
28th April, 2014

(F.No.V-11013/1/2014-CSR.I)
ANIL GOSWAMY, Home Secy.

///Attested///

Spl. Secretary to Govt. (Protocol)

ORDER

New Delhi, the 28th April, 2014

G.S.R.299(E)—The following Order by the President is published for general information:-

In pursuance of sub-clause (i) of clause (c) of the Proclamation issued on this, the 28th day of April, 2014, by me under Art.356 of the Constitution of India, I hereby direct that all the functions of the Government of the State of Andhra Pradesh and all the powers vested in or exercisable by the Governor of that State under the Constitution or under any law in force in that State, which have been assumed by the President by virtue of clause (a) of the said Proclamation, shall, subject to the superintendence, direction and control of the President, be exercisable also by the Governor of the said State.

PRANAB MUKHERJEE
President

New Delhi
28th April, 2014

(F.No.V-11013/1/2014-CSR.I)
ANIL GOSWAMY, Home Secy.

///Attested///

Spl. Secretary to Govt. (Protocol)